



National Republican Congressional Committee

Donald F. McGahn II
General Counsel

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FEC MAIL ROOM

2000 OCT 25 P 12:29

October 25, 2000

MUR 5126

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Complaint Against Mike Ross for Congress Committee, W.
Herman Brown as Treasurer

Dear Mr. Noble:

The National Republican Congressional Committee, by and through its General Counsel, hereby brings this complaint pursuant to 2 U.S.C. § 437g(a)(1) against Mike Ross for Congress Committee and W. Herman Brown as Treasurer. The National Republican Congressional Committee is located at 320 First Street, S.E., Washington, D.C. 20003.

I. VIOLATIONS

Mike Ross is a Democrat candidate for United States Congress from the 4th district of Arkansas. His campaign committee is Mike Ross for Congress. The Democrat Congressional Campaign Committee has contributed \$14,500 to Ross for this election cycle:

- \$4,500 on June 12, 2000 for the May 23, 2000 primary election
- \$5,000 on June 13, 2000 for the June 13, 2000 runoff election
- \$5,000 on September 18, 2000 for the general election

320 First Street, S.E.
Washington, D.C. 20003
(202)479-7069
www.nrcc.org

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COMMISSION
OFFICE OF GENERAL
COUNSEL

4150-506-40-12
21-04-405-0517

Interestingly, Ross was involved in a four-way primary, which resulted in a runoff election on June 13, 2000. In its self-proclaimed effort to remain "neutral," it would appear that the DCCC purposefully waited until the very last minute to contribute to a Democrat candidate in this race. In fact, the DCCC waited until the very day of the runoff to contribute \$5,000, its limit for the runoff election, to Ross. In attempt to circumvent the contribution limits and yet remain politically neutral, the DCCC waited until twenty days after the primary to make the \$4,500 contribution to Ross for the primary election.

Under Commission regulations, a contribution designated for the primary election, but made after the election, is acceptable only to the extent that the campaign has net debts outstanding. 11 C.F.R. § 110.3(i), (iii). As of May 24, 2000, Ross's pre-runoff report lists \$27,102.03 cash on hand and only \$15,000 in debt, leaving him with a surplus of \$12,102.03; therefore, Ross would be prohibited from accepting contributions for debt retirement.

Ross's July quarterly report states the date of the contribution was June 12, 2000, twenty (20) days after the primary election. If the contribution were made before the primary election, he would have been required to either list it on his pre-primary report or file a 48-hour notice with the Commission. The contribution, however, was not received until after the primary, and as such, Ross should be required to refund the contribution. Additionally, the Commission has requested on no less than two separate occasions that Ross explain his acceptance of designated contributions after the primary election; thus, one can only conclude these violations are knowing and willful.

Perhaps most troubling about Ross' attempt to funnel excessive funds into his campaign coffers is that he has claimed to be in favor of campaign finance "reform." It is the height of hypocrisy to claim to be for "reform" while not following the current laws. Ross has absolutely no credibility on this issue, and ought to learn to follow the current law before casting aspersions on others.

II. CONCLUSION

For these reasons, and based upon the foregoing, the National Republican Congressional Committee respectfully requests that the Commission find reason to believe that Federal law has been violated and institute appropriate legal action.

The foregoing is correct and accurate to the best of my knowledge, information and belief.

Respectfully submitted,



Donald F. McGahn II

District of Columbia

Signed and sworn to before me this

25 day of October, 2000.

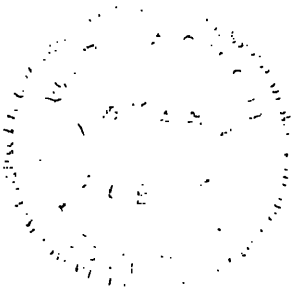


Notary Public

My Commission expires

M.D. ACTON

Notary Public, District of Columbia
My Commission Expires July 14, 2004



8150 504 40 12

REPORT OF RECEIPTS AND DISBURSEMENTSFor An Authorized Committee
(Summary Page)RECEIVED
FEDERAL ELECTION
COMMISSION MAIL ROOM

1. NAME OF COMMITTEE (in full)

Mike Ross for Congress Committee

ADDRESS (number and street)

PO Box 380

Check if different than previously reported.

CITY, STATE and ZIP CODE

Prescott, AR 71857

STATE/DISTRICT

2. FEC IDENTIFICATION NUMBER

C00345710

3. IS THIS REPORT AN AMENDMENT?

☐ YES☒ NO

4. TYPE OF REPORT

☐ April 15 Quarterly Report☒ Twelfth day report preceding

Runoff

(Type of Election)

☐ July 15 Quarterly Report

election on 06/13/2000

in the State of AR

☐ October 15 Quarterly Report☐ Thirtieth day report following the General Election on☐ January 31 Year End Report

in the State of

☐ July 31 Mid-Year Report (Non-election Year Only)☐ Termination ReportThis report contains
activity for☒ Primary Election☐ General Election☐ Special Election☒ Runoff Election

SUMMARY

5. Covering Period	COLUMN A This Period	COLUMN B Calendar Year-to-date
05/04/2000 through 05/24/2000		
6. Net Contributions (other than loans)		
(a) Total Contributions (other than loans) (from Line 11(a))	40,246.00	237,169.00
(b) Total Contribution Refunds (From Line 20(d))		
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))	40,246.00	237,169.00
7. Net Operating Expenditures		
(a) Total Operating Expenditures (from Line 17)	157,201.06	520,190.62
(b) Total Offsets to Operating Expenditures (from Line 14)		
(c) Net Operating Expenditures (Subtract Line 7(b) from 7(a))	157,201.06	520,190.62
8. Cash on Hand at Close of Reporting Period (from Line 27)	27,102.03	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	15,000.00	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

W. Herman Brown

Signature of Treasurer

W. Herman Brown

Date

5-30-2000

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to penalties of 2 U.S.C. §437g.

FEC FORM 3
(Revised 4/87)

REPORT OF RECEIPTS AND DISBURSEMENTSFor An Authorized Committee
(Summary Page)

1. NAME OF COMMITTEE (in full)

Mike Ross for Congress Committee

ADDRESS (number and street)

PO Box 380

☐ Check if different than previously reported

CITY, STATE and ZIP CODE

Prescott, AR 71857

STATE/DISTRICT

2. FEC IDENTIFICATION NUMBER

C00345710

RECEIVED
FEDERAL ELECTION
COMMISSION MAIL ROOM

2009 MAY 11 P 1:56

3. IS THIS REPORT AN AMENDMENT?

☐ YES☒ NO**4. TYPE OF REPORT**☐ April 15 Quarterly Report☒ Twelfth day report preceding

Primary

(Type of Election)

☐ July 15 Quarterly Report

election on 05/23/2000

in the State of AR

☐ October 15 Quarterly Report☐ Thirtieth day report following the General Election on☐ January 31 Year End Report

in the State of

☐ July 31 Mid-Year Report (Non-election Year Only)☐ Termination ReportThis report contains
activity for☒ Primary Election☐ General Election☐ Special Election☐ Runoff Election**SUMMARY**

5. Covering Period	04/01/2000 through 05/03/2000	COLUMN A This Period	COLUMN B Calendar Year-to-date
6. Net Contributions (other than loans)			
(a) Total Contributions (other than loans) (from Line 11(e))		39,626.00	196,923.00
(b) Total Contribution Refunds (From Line 20(d))			
(c) Net Contributions (other than loans) (subtract Line 6(b) from 6(a))		39,626.00	196,923.00
7. Net Operating Expenditures			
(a) Total Operating Expenditures (from Line 17)		236,148.20	362,989.56
(b) Total Offsets to Operating Expenditures (from Line 14)			
(c) Net Operating Expenditures (Subtract Line 7(b) from 7(a))		236,148.20	362,989.56
8. Cash on Hand at Close of Reporting Period (from Line 27)		144,057.09	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)			
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)		15,000.00	

For Further Information:
Federal Election Commission
1111 F Street NW
Washington, DC 20542
Toll Free 800-424-3577
Local 202-213-3420

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Signature of Treasurer

W. Herman Brown

Date

5-8-2000

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to penalties of 2 U.S.C. §437g.

FEC FORM 3
(Revised 4/87)

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedule(s)
and each category of the
related Summary SheetPAGE 1 OF 3
FOR LINE NUMBER
11 (b)

Any information required from such receipts and statements may not be used by any person for the purpose of soliciting contributions or for other purposes prohibited by law, and will be used only for the purpose of reporting contributions to the Federal Election Commission.

NAME OF COMMITTEE (in full)

Mike Ross for Congress Committee

A. Full Name, Mailing Address and Zip Code PAC - Democratic Congressional Campaign 430 South Capitol Street, SE Washington, DC 20003- Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer NONE Occupation Party Organization Aggregate Year-to-Date -> 4,500.00	Date (month, day, year) 05/12/2000 Amount of each Receipt this Period 4,500.00	*
B. Full Name, Mailing Address and Zip Code PAC - Democratic Congressional Campaign 430 South Capitol Street, SE Washington, DC 20003- Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input checked="" type="checkbox"/> Other (specify) Runoff	Name of Employer DCCC Occupation Party Organization Aggregate Year-to-Date -> 9,500.00	Date (month, day, year) 06/13/2000 Amount of each Receipt this Period 5,000.00	*
C. Full Name, Mailing Address and Zip Code PAC - AR Democratic Party 1300 West Capitol Little Rock, AR 72201- Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date -> 5,000.00	Date (month, day, year) 06/20/2000 Amount of each Receipt this Period 5,000.00	
D. Full Name, Mailing Address and Zip Code Ashley Co. Democratic Central Committee Attention: Frank Taylor P. O. Box 111 Hamburg, AR 71646-0111 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer County Committee Occupation Aggregate Year-to-Date -> 1,000.00	Date (month, day, year) 06/23/2000 Amount of each Receipt this Period 1,000.00	
E. Full Name, Mailing Address and Zip Code Columbia Co. Democratic Central Committee Attention: Mary Wilson 1307 North Washington Magnolia, AR 71753- Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer County Committee Occupation Aggregate Year-to-Date -> 500.00	Date (month, day, year) 06/23/2000 Amount of each Receipt this Period 500.00	
F. Full Name, Mailing Address and Zip Code DeShazo Co. Democratic Committee Attention: Maxine Sammons Route 1 Box 92 Mc Gehee, AR 71654 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer County Committee Occupation Aggregate Year-to-Date -> 1,000.00	Date (month, day, year) 06/23/2000 Amount of each Receipt this Period 1,000.00	
G. Full Name, Mailing Address and Zip Code Little River Co Democratic Committee Attention: Katie Dumas, Sec.-Treas. 431 West Dougherty Ardmore, AR 71008 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer County Committee Occupation Aggregate Year-to-Date -> 500.00	Date (month, day, year) 06/23/2000 Amount of each Receipt this Period 500.00	

SUBTOTAL of Receipts This Page (optional)

17,500.00

TOTAL This Period (last page this line number only)

SCHEDULE A

ITEMIZED RECEIPTS

Use separate schedules for each category of the Detailed Summary Page

PAGE 1 OF 3
FOR LINE NUMBER 11(b)

Any information copied from such reports and statements may not be used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in full)

Mike Ross for Congress Committee

A. Full Name, Mailing Address and Zip Code Democratic Central Committee of Boone Co P. O. Box 969 Harrison, AR 72602-	Name of Employer Occupation	Date (month, day, year) 09/13/2000	Amount of Each Receipt this Period 250.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date ->	250.00	
B. Full Name, Mailing Address and Zip Code Arkansas County Dem. Central Committee R. R. 1, Box 26 De Witt, AR 72042-	Name of Employer Occupation	Date (month, day, year) 09/05/2000	Amount of Each Receipt this Period 999.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date ->	999.00	
C. Full Name, Mailing Address and Zip Code Democratic Congressional Campaign 430 South Capitol Street, SE Washington, DC 20003-	Name of Employer Occupation	Date (month, day, year) 09/18/2000	Amount of Each Receipt this Period 5,000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date ->	14,500.00	
D. Full Name, Mailing Address and Zip Code Carroll County Democrat Women Attention: A. C. Williams 9 C Clover Lane Holiday Island, AR 72631-	Name of Employer Occupation	Date (month, day, year) 08/04/2000	Amount of Each Receipt this Period 100.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date ->	100.00	
E. Full Name, Mailing Address and Zip Code Dallas County Democratic Committee 2002 West 4th Foardyce, AR 71702-	Name of Employer Occupation	Date (month, day, year) 08/01/2000	Amount of Each Receipt this Period 1,000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date ->	1,300.00	
F. Full Name, Mailing Address and Zip Code Garland County Democratic Central Comm. Attention: Jo West Taylor 319 Songer Lane Percy, AR 71964-	Name of Employer Occupation	Date (month, day, year) 07/20/2000	Amount of Each Receipt this Period 999.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date ->	999.00	
G. Full Name, Mailing Address and Zip Code Grant County Democratic Central Committee Attention: Earl Paty 3206 Highway #46 South Sheridan, AR 72150-	Name of Employer Occupation	Date (month, day, year) 08/04/2000	Amount of Each Receipt this Period 1,000.00
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	Aggregate Year-to-Date ->	1,000.00	

SUBTOTAL of Receipts This Page (optional)

9,348.00

TOTAL This Period (last page this line number only)



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20541

RQ-3

October 5, 2000

W. Herman Brown, Treasurer
Mike Ross for Congress Committee
P.O. Box 360
Prescott, AR 71857

Identification Number: C00345710

Reference: July Quarterly Report (5/25/00-6/30/00)

Dear Mr. Brown:

On September 12, 2000, you were notified that a review of the above-referenced report(s) raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act.

Your September 20 and September 29, 2000 responses are incomplete because you have not provided all the requested information. For these responses to be considered adequate, the following information is still required.

Schedule A of your report discloses contributions received after the primary election and runoff elections which are designated for the primary and runoff election. These contributions may be accepted to the extent that the committee has net debts outstanding from the primary and runoff elections. (11 CFR §110.1(b)(3)(i))

A contribution is considered to be made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered to have been made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR §110.1(b)(6))

If the contribution(s) accepted exceeds the amount of net debts outstanding from the primary and runoff elections, you should refund the contribution(s) or seek redesignation of the contribution(s), in writing, from the contributor

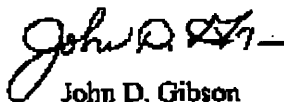
to the next election. The Commission should be notified if a refund is necessary. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period during which the refund is made. Redesignations are reported as memo entries on a Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2))

Although the Commission may take further legal action, prompt action by you to refund or seek redesignation of the excessive amount(s) will be considered.

An adequate response must be received at the Commission by October 25, 2000. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

If you should have any questions related to this matter, please contact Stephen M. Kronfeld on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or our local number (202) 694-1130.

Sincerely,



John D. Gibson
Assistant Staff Director
Reports Analysis Division

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